

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

NOBLE LEE BARRETT, JR., #1858564

V.

DIRECTOR, TDCJ-ID

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CIVIL ACTION NO. 6:18CV134

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On March 25, 2019 (Dkt. #22), the report of the Magistrate Judge was entered containing his proposed findings of fact and recommendations that the Petitioner's application for writ of habeas corpus should be dismissed with prejudice and a certificate of appealability should be denied *sua sponte*.

The Petitioner filed objections to the report of the United States Magistrate Judge (Dkt. #26). The court, having made a *de novo* review of the objections raised by the Petitioner thereto, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Petitioner are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court. It is, therefore,

**ORDERED** that the Magistrate Judge's report is **ADOPTED** as the opinion of the court. It is further

**ORDERED** that the Petitioner's application for a writ of habeas corpus is **DISMISSED WITH PREJUDICE** and a certificate of appealability is **DENIED** *sua sponte*.

**SIGNED this the 21st day of May, 2019.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE